

REMARKS REGARDING SECOND PRELIMINARY AMENDMENT

The originally filed Preliminary Amendment contained 3 typographical errors that are corrected hereby.

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REMARKS REGARDING RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicants hereby assert that they are entitled to pay fees in connection with this Application as a small entity under 37 C.F.R. § 1.27. Applicant's Response to the Notice to File Missing Parts of Non-Provisional Application, includes herewith an Oath & Declaration, Petition 10 for 1-Month Extension of Time to Respond, Fee Transmittal reflecting the correct claim count after entry of the Preliminary Amendment that was filed on October 26, 2000 with the Divisional Application under 37 C.F.R. § 1.53(d), and a check no. 11,453 in the amount of \$690 for the fee as required under the Notice to File Missing Parts.

U.S. P.T.O. Error in Fee Calculation for Extra Claims

15 Applicant notes that under 37 C.F.R. § 1.53(d), the divisional application that was filed on October 26, 2000 included a Preliminary Amendment in 3 pages, which canceled claims and added new claims. As a net result of that Amendment, there are a total of 35 pending claims in the case including only 5 independent claims. Accordingly, Applicant believes the correct fee as noted on the Fee Transmittal submitted herewith to be only \$690, which includes the basic filing 20 fee of \$355, the late declaration filing fee of \$65, the \$55 fee for a 1-month extension of time to respond, and the extra claims fees of \$215 (\$135 for 35 pending claims, and \$80 for 2 extra independent claims over 3).

In contrast, the Notice to File Missing Parts requires Applicant to submit a balance of \$1,180 for a non-small entity. In addition, a \$110 fee for a 1-month extension of time to respond

would bring the total due to \$1,290, which would be reduced to \$645 upon Applicants' assertion of small entity status. This amount is believed to be insufficient and Applicant therefor remits the appropriate amount of \$690 herewith by check #11,453.

5 **Authorization for Fees and Refunds to be Applied to Deposit Account**

Applicant hereby requests that any necessary additional fees be debited from and refunds be credited to Deposit Account 50-1526 in the name of Sean M. Casey Co., L.P.A.

PETITION TO CORRECT FILING DATE

10 **U.S. P.T.O. Error in According Filing Date**

Applicant originally filed the instant application and Preliminary Amendment by U.S. Postal Service Express Mail on October 26, 2000. A copy of the filing receipts and the cover pages of the Divisional Application and Preliminary Amendment are attached hereto, which each reflect an Express Mail Label No. EL 621 103 157 US. Despite the "Date-In" indication of the 15 Express Mail receipt, the Patent Office has erroneously accorded a filing date of October 27, 2000. Under 37 C.F.R. § 1.10(a), Applicant is entitled to a filing date of October 26, 2000. Pursuant to 37 C.F.R. § 1.10(e), Applicant hereby petitions for a corrected filing date and respectfully requests that an amended Filing Receipt be issued in due course.

20 **PETITION TO CORRECT APPLICANT'S DOCKET NUMBER**

Applicant incorrectly noted the docket number on the originally filed application and hereby requests that the attorney docket number be changed to "52421.004C".

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Conclusion

The under-signed attorney may be contacted anytime at (614) 222-0800 if any further information is required. Thank you for your attention to this matter.

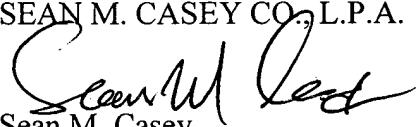
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Respectfully submitted,

Karl C. Huff & Allan S. Chace

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